

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Benjamin Spenser

Examiner: William H. Matthews

Serial No.: 10/637,882

Group Art Unit: 3774

Filing Date: August 8, 2003

Confirmation No. 2524

Title: IMPLANTABLE PROSTHETIC VALVE

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

**I. Timing of the Information Disclosure Statement:**

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☒ With a Request For Continued Examination (RCE) under 37 C.F.R. § 1.114.
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. §1.491.

**II. Copies of the Cited Items:**

- ☒ Copies of all of the items listed on the attached Form PTO-1449 are enclosed except:

☒ Copies of the U.S. references are not being submitted pursuant to 37 CFR 1.98(a)(2)(i).

☐ Copies of those items which are marked with an asterisk(\*) in the attached form PTO-1449 are not supplied because they were previously cited by or submitted to that Patent office in a prior application No. \_\_\_\_\_, filed \_\_\_\_\_ and relied upon in

this application for an earlier filing date under 35 U.S.C. § 120. See 37 C.F.R. § 1.98(d).

- [ ] Copies of those items which are marked with an asterisk (\*\*) in the attached Form PTO-1449 were cited in a foreign examination report in a related case. A copy of the Written Opinion and the cited references not already of record in this application are attached hereto.

**III. Concise Explanation of Relevance:**

- [X] A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- [ ] A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of the Written Opinion from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references (copy attached).

**IV. Conclusion:**

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks. The commissioner is hereby authorized to charge Deposit Account No. 50-1225, Docket No. PVI-5789CIPDIV any additional fees required in connection with the filing of this Information Disclosure Statement.

Date:

Respectfully submitted,

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